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on October >5, 2004

OCT 2 8 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dubrul et al.

Application No.: 09/781,721

Filed: February 12, 2001

Title: Dilating and Support Apparatus with Disease

Inhibitors and Methods for Use

Attorney Docket No.: GMAM 1008-5

Examiner: Catherine Serke Williams

Group: 3763

Confirmation No.: 1945

Customer No. 22470

## **INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56.

Since this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP 609.

Enclosed with this statement is a Form PTO/SB/08A. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. 609.

Also enclosed with this statement is a copy of each cited document as required by 37 C.F.R. 1.98. If, however, this application was filed after June 30, 2003, copies of U. S. Patents and U. S. Patent Application Publications are not enclosed. (See O. G. Notice of August 5, 2003.)

10/29/2004 JADDO1 00000012 09781721

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Application No.: 09/781,721

This statement should be considered under 37 C.F.R. 1.97(c) because it is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first, AND it is accompanied by the \$180 fee set forth in 37 C.F.R. 1.17(p).

Fee Authorization. The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (GMAM 1008-5). A duplicate copy of this authorization is enclosed.

By:

Respectfully submitted,

Haynes Beffel & Wolfeld LLP

Hann, Reg. No. 29,719

Date: 25 Oct 04

James F. Hann

Haynes Beffel & Wolfeld LLP P.O. Box 366; 751 Kelly Street Half Moon Bay, CA 94019

Ph. (650) 712-0340

Fax (650) 712-0263

jhann@hmbay.com

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PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE espond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Under the Paperwork Reduction Act of 1995, no

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of

Complete if Known				
Application Number	09/781,721			
Filing Date	February 12, 2001			
First Named Inventor	William Dubrul			
Group Art Unit	3763			
Examiner Name	Catherine Serke Williams			
Attorney Docket Number	GMAM 1008-5			

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Patent Docum Kind Number (if kn	Code <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	<b>A</b> 1	5,769,871		Mer Kelly et al.	06-23-1998	
	A2	6,635,068		Dubrul et al.	10-21-2003	
	A3	2002/0045916	<b>A</b> 1	Gray et al.	04-18-2002	
	A4					
	A5					
	A6					
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	A8					
	A9					
	A10					
	A11					
	A12					
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	A20					

FOREIGN PATENT DOCUMENTS								
	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	
		Office <sup>3</sup>	Number⁴	Kind Code <sup>5</sup> (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Te
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Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.